

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 4:08-CR-156 CAS
	)	
DONNELL MCCLOUD,	)	
	)	
Defendant.	)	

**ORDER**

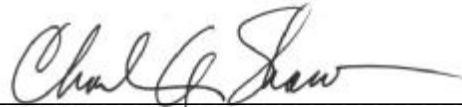
Pending before the Court is defendant's "Objections to Magistrate's Order and Recommendations and the Adoption of Same by this Court." [Doc. 87] Pursuant to 28 U.S.C. § 636(b), this Court referred all pretrial matters to United States Magistrate Judge Frederick R. Buckles. On October 23, 2008, Judge Buckles filed a Memorandum, Order, Report and Recommendation in which he recommended that defendant's Motions to Suppress Evidence, Motions to Suppress Statements, and Motions to Dismiss be denied; that the government's Motions for a Determination of Admissibility Pursuant to 18 U.S.C. § 3501 be granted; and that the government's Motion to Compel Discovery be granted in part and denied in part. In this order, the parties were advised that they had until October 31, 2008, in which to file written objections. On November 10, 2008, with no objections having been filed, the Court sustained, adopted and incorporated the Magistrate Judge's Memorandum, Report and Recommendation. On November 24, 2008, on the morning of trial, defendant filed his objections to the Magistrate Judge's Memorandum, Report and Recommendation.

The Court will overrule defendant's objections as out of time and moot. But even if the Court

were to construe defendant's filing as a motion to reconsider the Court's November 10, 2008 order adopting and sustaining the Magistrate's Report and Recommendation, the motion would be denied without merit.

Accordingly,

**IT IS HEREBY ORDERED** that defendant Donnell McCloud's objections to the Magistrate Judge's Memorandum, Report and Recommendation are **OVERRULED**.

A handwritten signature in cursive script, reading "Charles A. Shaw", written in black ink. The signature is positioned above a horizontal line.

**CHARLES A. SHAW**  
**UNITED STATES DISTRICT JUDGE**

Dated this 25th day of November, 2008.